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THE AMERICAN LAW REGISTER

FOUNDED 1852.

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SUBSCRIPTION PRICE, \$3.00 PER ANNUM. SINGLE COPIES, 35 CENTS.

Published Monthly for the Department of Law by PAUL D. I. MAIER, at S. W. Cor. Thirty-fourth and Chestnut Streets, Philadelphia, Pa. Address all literary communications to the EDITOR-IN-CHIEF; all business communications to the TREASURER.

IN MEMORIAM.

ROY WILSON WHITE.

On Sunday, May 20, the whole community was shocked to learn of one of the most dastardly crimes which has been perpetrated in Philadelphia. The evening before, while on his way home from his university duties, Roy Wilson White, Fellow of the Department of Law of the University, was attacked by footpads and beaten to death. The motive was robbery. The feeling of gloom among University men at this terrible crime was heightened by the very close relations which Mr. White sustained to the officers, faculty and

students. He had been a student of the Department of Law for three years, and a valued instructor for two more, so that he was intimately known to all connected with this school.

Roy Wilson White was born June 6, 1872, at Richmond, Ind., and was the son of William M. White and Mary White. His father was a school teacher.

His preparatory education was received at various private schools in Adrian, Mich., and Louisville and Spiceland, Ind. His undergraduate college education was received at Earlham College, Richmond, Ind., where both his mother and father had graduated. While at Earlham he was president of the Ionian Literary Society, and won the college oratorical prize in his senior year. He also represented Earlham in 1895 in the intercollegiate oratorical contest at Indianapolis. He graduated in 1894 as a Bachelor of Science, and came east to Haverford College, where he spent a year in post-graduate work in Latin, receiving the degree of Master of Arts.

He then entered the Law Department at Pennsylvania, and from the first showed remarkable ability. He stood among the leaders of his class throughout his course, and took honors all three years, graduating in 1898. He received the Meredith Prize for his graduating essay, entitled "Some Phases of Government Regulations of Contracts."

During his course in the Law School he found time to do a great amount of private tutoring, and was, for the greater part of that time, on the teaching force of the Episcopal Academy, Philadelphia. During his first year he passed the Indiana State Bar examination, and was admitted to that Bar. In 1896 he was chosen alternate for the team that debated with Cornell, and in 1897 was a member of the Pennsylvania debating team.

While in the Law School Mr. White was a member of numerous legal clubs, notably the Sharswood Law Club and the Phi Delta Phi legal fraternity. He was the first president of the Pennsylvania Debating Union.

As a Fellow of the Law School Mr. White was entrusted with a considerable amount of the work of instruction, and fulfilled his duties so satisfactorily that he was commissioned to go abroad last year to study the civil law, and was to have given instruction in that subject during the coming year.

Since he was sixteen years of age he had, together with his brother, been the support of a mother and four sisters.

A glance at the above outline of the brief career of Roy Wilson White will suffice to show that he was a man out of the ordinary, who was destined in any chosen walk of life to stand head and shoulders above his fellows. No better commentary on his character could be penned than the simple narration of his past life and achievements.

Whether he had elected to devote his life to teaching law or to its active practice, he could not have failed to make his mark.

To those who knew him it is needless to speak of his intellect or of his character. As a man he was all that a true man and a good citizen should be. He was not, like most ambitious men, selfish, but

open-handed to all, and self-sacrificing to the last degree for his family and friends. No labor was too arduous for him to undertake for those of whom he was fond. No student ever came to him for help and went away without receiving kind and patient attention and assistance from one who himself hardly knew the meaning of intellectual difficulty.

Roy Wilson White was a man of the purest character and the most exemplary life. He was uncompromising in his stand for what he felt was right, though never offensive to those opposed to his views. By his dropping from the ranks, the community suffers a distinct loss. Such citizens as was he, are too scarce in public life, and the crying need in private life is for men of such character as was his. But more notable is the loss occasioned the University by his death. A foundation had just fairly been laid for a career which must have redounded greatly to the credit of Roy Wilson White and to the honor of the University of Pennsylvania. Sad enough to see the aged professor lay down his life at the end of a career crowded with the fragrance of duty well done, of service to thousands of loyal and loving pupils now gone forth to useful lives. Infinitely more sad to behold a career which promised, and had begun the fulfillment of such a mission—and much more—cut off in the bud. But even the foundation rightly and truly builded stands for something positive, and every friend of Roy White knows that the structure he reared in his short term of building will stand, and stand for a reminder to others that it is worth while to have lived and to have lived aright.

O. J. R.

DANIEL STILZ DOREY.

Mr. Dorey was born in Philadelphia, June 8, 1877, the son of Daniel and Mary Jane Sansom Dorey. He was prepared at Penn Charter and Brown Preparatory School, and entered Pennsylvania in 1895, in the Wharton School. Mr. Dorey then entered the Law Department and took his degree in 1899. He was a member of Phi Delta Theta fraternity, and was business manager of THE AMERICAN LAW REGISTER during 1898-1899. Mr. Dorey died at Colorado Springs, April 9 last.

NEGLIGENCE—LIABILITY FOR CAUSING DEATH—ACTION OF DAMAGES. *Union Traction Company v. Fetters*, 99 Fed. Rep. 214 (1900).

In this case some interesting questions of negligence were brought up before the Circuit Court of Appeals for the Third Circuit, and the Court, per Dallas, J., showed a gratifying tendency to cease making qualifications and exceptions and special rules and to get back to general principles.

The defendant contracted for the construction of a smoke-stack, to consist of a shell of steel lined with brick. When the contractors